

Elliott Bay/Duwamish Restoration Program 1994 Annual Report

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Individuals and organizations wishing to receive further information about the Elliott Bay/Duwamish Restoration Program should contact the Administrative Director at the following address and telephone number:

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The Panel, its technical working groups and its committees hold regularly scheduled meetings that are open to the public. Meetings are generally held at the National Oceanic and Atmospheric Administration, Northwest Fisheries Science Center auditorium, 2725 Montlake Boulevard East, Seattle. Because meetings are sometimes rescheduled and locations changed, the Panel recommends that you contact Robert C. Clark Jr., Administrative Director, at (206) 526-4338 to confirm the meeting schedule. The Panel also schedules periodic special meetings, such as public information meetings and workshops.

Regularly scheduled meeting dates

Panel: First Thursday of every month, 9:30 a.m.-12:30 p.m.

Sediment Remediation Technical Working Group: Second and last Thursday of every month, 1-4 p.m.

Habitat Development Technical Working Group: Second and last Thursday of every month, 9 a.m.-noon

Public Participation Committee: Second Monday of every month, 1:30-4 p.m.

Environmental Review of Specific Projects

Formal hearings and comment periods on appropriate environmental documents for each proposed sediment remediation and habitat development project will be observed. Please contact the Administrative Director for more information.

**This information is available in accessible formats upon request at
(206) 684-2046 (voice) or (206) 689-3413 (TTY).**

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Executive Summary

On March 19, 1990, the United States filed a complaint for the National Oceanic and Atmospheric Administration(NOAA)¹ acting on behalf of the public as a trustee for natural resources. The complaint was filed under Section 107 of CERCLA, 42 U.S.C. § 9607 (a), to assess and recover damages for alleged injuries to United States' trust resources in Elliott Bay and the Duwamish River. The other natural resource trustees who were parties to the Consent Decree were: The U.S. Fish and Wildlife Service (USFWS), the State of Washington Department of Ecology (Ecology), the Suquamish Tribe and the Muckleshoot Indian Tribe. The defendants named in the lawsuit were the Municipality of Metropolitan Seattle (Metro), now the King County Department of Metropolitan Services (Metro), and The City of Seattle (City).

The lawsuit was settled by consent decree on December 23, 1991. The settlement stipulates that Metro and the City will provide a combination of cash payments, real estate and in-kind services with a total value of \$24 million, to be used to clean up contaminated sediments, to make habitat improvements, and to prevent the recontamination of sediment remediation and habitat projects. The Consent Decree and a detailed summary of the settlement appear in the *Elliott Bay/Duwamish Restoration Program 1992 Annual Report*, available from the Administrative Director.

This annual report summarizes implementation of the settlement during 1994, the third year of the Elliott Bay/Duwamish Restoration Program (Program). The Panel of Managers (Panel) has identified sites for preliminary investigation for sediment remediation and habitat development projects following substantial public review and comment upon the site selection process. The site selection process, public comments, and responses were presented in the final *Concept Document*, published in June 1994.

Activities in 1994 included site investigations, appraisals, site acquisition negotiations and conceptual designs for restoration projects in two geographic focus areas (GFAs): Turning Basin Number 3 on the Duwamish River and Kellogg Island on the Duwamish River. The Panel authorized funds for underwater maps of potential habitat development sites within the Elliott Bay GFA that would be used to further refine project site areas and to develop conceptual project designs.

Data acquisition for the Waterfront Recontamination Study was completed in November. Results were scheduled for release in 1995. A scope of work for the Duwamish/Diagonal and Norfolk sediment cleanup was approved and will be used to select a contractor for the project.

¹United States, et al. v. City of Seattle and Municipality of Metropolitan Seattle, Case No. C90-395WD (W.D. Wash.) [Note: all ¶ numbers cited refer to this document.]

The Panel continued to engage in collaborative activities with other government agencies and organizations, through cosponsorship of a sediment transport study and a piling removal workshop.

Elliott Bay/Duwamish Restoration Program Organization

The Panel was established by the Consent Decree to manage the implementation of the settlement with Metro and the City. The Panel consists of designated voting representatives and alternates from the parties to the Consent Decree. In 1992, the Panel established the Sediment Remediation Technical Working Group (SRTWG), chaired by Pat Romberg of Metro, and the Habitat Development Technical Working Group (HDTWG), chaired by Curtis Tanner of U.S. Fish and Wildlife Service, to advise the Panel. Each technical working group includes representatives of the governments on the Panel, other governments and agencies, and interested parties. The groups are responsible for identifying potential projects, evaluating them against criteria that meet the goals of the Consent Decree and determining their feasibility.

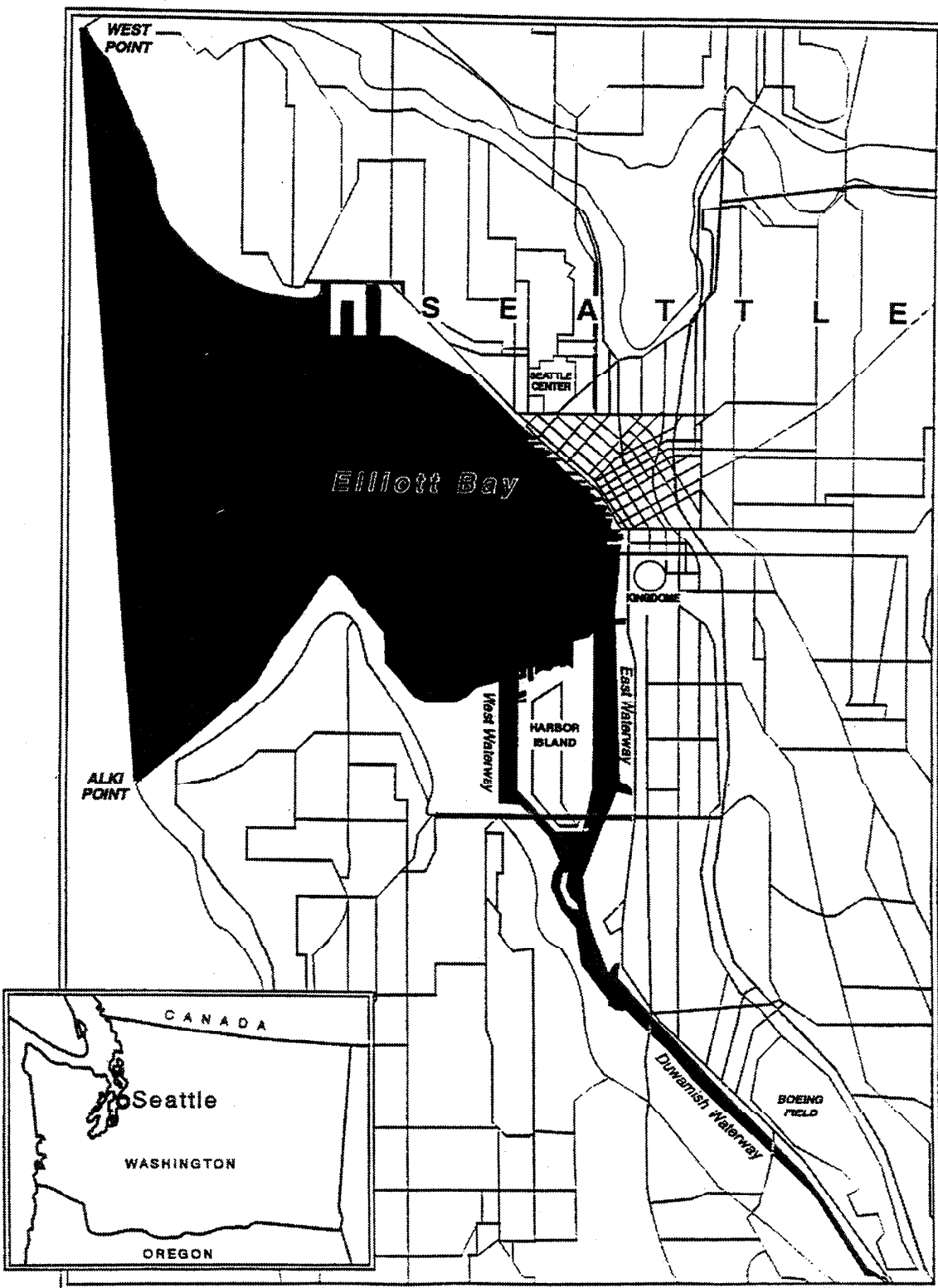
The Panel established a Public Participation Committee (PPC) to advise the Panel on opportunities for public involvement and education in all Program activities. The PPC is chaired by Margaret Duncan of the Suquamish Tribe and staffed by representatives from the Muckleshoot Tribe, NOAA, the City, and Metro.

The Panel, the Habitat Development and Sediment Remediation Technical Working Groups, the Public Participation Committee and the Administrative Director comprise the managerial, technical, outreach, and administrative components of the Elliott Bay/Duwamish Restoration Program. The Organization Plan, an appendix to this report, provides information on program organization and membership.

Geographic Boundaries

The area covered by the settlement includes Elliott Bay eastward of a line between Alki Point and West Point including the shoreline 10 meters upland from the mean high water line within Elliott Bay, and the Duwamish River from the river mouth to the head of navigation (see figure). For purposes of habitat development, the covered area includes tributaries to the Duwamish River.

Area Covered by Settlement



1994 Program Chronology

January

- Established an Administrative Record file plan; designated the Administrative Director as file custodian.
- Approved the 1995 habitat budget for three projects corresponding to the three geographic focus areas.
- Tabled the West Michigan sediment remediation site pending additional sampling for sediment chemistry analysis.
- Approved the second monitoring plan report for the Pier 53 Sediment Cap and Enhanced Natural Recovery Area Project.

February

- Panel representatives reviewed and commented on compensatory wetland mitigation for the Department of Transportation (DOT) First Avenue Bridge construction. The project will restore a hydrologic connection between the Marsh located west of State Route 509 to the Duwamish River.
- Developed display signs to commemorate the Waterfront Recontamination Study.
- Jointly sponsored a Piling Removal workshop with DOT and the Port of Seattle to develop piling removal methods that minimize sediment resuspension.

March

- Authorized Ecology to prepare the modeling work plan of the Waterfront Recontamination Study.
- Approved sampling plans at Diagonal/Duwamish by Metro for: 1) stormwater sampling, 2) bathymetry, and 3) salinity sampling.

April

- Published the 1993 Annual Report.
- Approved the 1995 Proposed Budget of \$1,974,000 as resolution 1994-8.

May

- Identified Problems during Mid-Course Review of the Consent Decree:
The Panel identified and discussed some of the operational problems encountered during its first two years, and agreed to explore administrative remedies to Consent Decree constraints:
 1. Need to create a means to allow money from outside sources into the registry account;

2. Need to identify flexible procedures that will enable Metro and the City to propose projects for in-kind services in September of each year, in accordance with the Consent Decree, amending the proposals once additional detail becomes available.
 3. Need for the budget group (Administrative Director, Metro and the City) to address concerns that the City and Metro are paying in funds at a rate that exceeds the anticipated rate of payments, given that the City and Metro propose to seek in-kind credit for initial projects.
- Presented Program activities to the public at an open house aboard NOAA Ship McARTHUR on May 21-22 on the Seattle Waterfront during Maritime Week.

June

- Panel Publications:
 - Public Participation Plan (Panel Publication 6)
 - The Final Concept Document (Panel Publication 7)
 - An abridged version of the Final Concept Document as a supplement to the draft Concept Document with the new sections of the final version.

July

- The Panel continued to monitor mitigation for solvents spilled into marshland in the vicinity of State Route 509 and the Duwamish River on February 14.
- Monitored efforts of the DOT to modify Colman Dock renovation plans and to conduct sediment sampling and remediation.

August

- Contacted the Student Conservation Association to assist with plantings and other restoration labor needs.
- Requested the City to provide an appraisal for the property known as City Light North, including (1) the value of the site as it is now, and (2) the value of the site after construction of a proposed habitat project to include the daylighting of Hamm Creek and excavation of the river bank on the east side of the parcel. The lesser amount of \$5,000 or half the cost of the appraisal was authorized.
- Approved a draft Diagonal/Duwamish/Norfolk Sediment Remediation Project Budget.

- Hosted Metropolitan King County Councilmember Cynthia Sullivan. As a member of the Water Quality and Habitat Enhancement Subcommittee of the Duwamish Coalition, Councilmember Sullivan encouraged cooperation between the EB/DRP and the Duwamish Coalition, and on the future of King County industrially zoned lands along the Duwamish River given the Growth Management Act implementation plans.

September

- The Panel, through Metro, provided a public outreach presentation at the Westlake Transit Station on September 9 as part of Waterweeks activities.
- King County Department of Development and Environmental Services held a meeting with various interested parties about the City Light North habitat development site. Concerns regarding regulations and shoreline management goals under various development scenarios were discussed.
- Seaboard Lumber site property acquisition negotiations continued. Remaining issues include possible sediment contamination and the development of protocols for prepurchase sampling.
- Presented preliminary results from this summer's field sampling (sediment physical description maps) for the Duwamish/Diagonal and Norfolk sites.

October

- The Suquamish Tribe hosted the October 6 Panel meeting at the Suquamish Tribal Center.
- Monitored the Colman Dock sampling results to determine possible impacts to the Pier 53 Pilot Sediment Remediation Project.
- Metro and the City agreed to assist the Sediment Remediation Technical Working group to develop source control plan subject to review and approval by the Panel.

November

- Sampled sediments surrounding the Seaboard Lumber site to assist in determining the level of contamination on the site.
- DOT agreed to follow the EB/DRP recommendations for piling removal.
- Completed the Waterfront Recontamination Study field sampling task. The next task is develop information to support remedial investigation, feasibility studies, and site characterizations for waterfront cleanup projects.

December

- Determined the primary objective of the Elliott Bay Geographic Focus Area Habitat Development projects: to enhance habitat from shore areas down to the subtidal zone to a depth of 60 feet or less.
- Adopted a scope of work for underwater mapping of potential habitat development areas in the Elliott Bay Geographic Focus Area to be completed by volunteer divers under the direction of Angela Ferdico.
- Amended the draft scope of work for the Seattle City Light North appraisal. The habitat project would be developed independently from the potential combustion turbine.
- The SRTWG completed a draft Scope of Work for the Diagonal/Duwamish and Norfolk cleanup to initiate selection of a contractor.

Public Participation Committee

1994 Summary

Margaret Duncan, Suquamish Tribe

The Public Participation Committee was established to assist the Panel in the development and implementation of its Public Participation Plan. During 1994, the committee continued to support the Panel's public outreach and educational activities, guide the development of special materials and project-related documents, and assist with special meetings and collaborative efforts.

Public outreach and educational activities

The Panel continually seeks opportunities to inform and involve the public in the Panel's approach to habitat restoration, sediment remediation, and source control. Panel and technical working group members have met with a number of diverse organizations to describe Panel activities and seek input regarding potential projects. In addition to presentations to such community-based organizations as the Golden Kiwanis, Panel members have also met with University of Washington School of Marine Affairs and other classes. Other opportunities for meeting with members of the public included displays and discussion aboard the NOAA Ship McARTHUR during two days of Maritime Week in May, and participation in Waterweeks in September. Panel and working group members also participated in the Green/Duwamish Watershed Alliance's Summit Conference in October and discussed potential restoration projects with the Duwamish Coalition.

The Public Participation Committee continued to guide the development of fact sheets and other informational materials describing the Panel's activities. The committee also updated slides used by Panel members in public presentations to describe the Panel's goals, structure, and project identification process. Other continuous support activities include updating the Panel's mailing list of approximately 700 individuals and maintaining the Administrative Record, which is available at the NOAA Sand Point offices and the Seattle Public Library's downtown and West Seattle branches.

The committee also guided the design and production process for two signs commemorating its Waterfront Recontamination Study and the Pier 53-55 sediment capping project. The commemorative signs were produced to fulfill paragraph 17 of the Consent Decree, which requires that placards or signs be erected or placed in a prominent location to commemorate each sediment remediation or habitat development project performed under the Consent Decree. The signs will be placed

in two locations along the Seattle waterfront once permission is secured from the City to do so.

In addition to finalizing the Panel's Public Participation Plan, the committee also assisted with the preparation of the public participation components of workplans for the Diagonal/Duwamish and Norfolk sediment remediation cleanup study workplans initiated in 1994. Concurrently, the committee guided the Panel in producing the final *Concept Document* pursuant to public review during 1993. In addition to responding to public comment, the document describes the process used to identify and evaluate potential projects, summarizes the Panel's approach to source control programs, and discusses the process for environmental review and public participation in proposed projects.

Collaborative efforts

Collaborative efforts with other governments, agencies, and organizations continue to be an important component of the Panel's approach to public involvement and education. Monitoring results of the Pier 53-55 sediment cap revealed that piling removal can be a threat to clean up projects because it stirs up contaminated sediment. To help address this issue, the Panel joined with Washington State Department of Transportation and the Port of Seattle to co-sponsor a workshop entitled "Piling Removal: Environmental Impacts and Solutions." The workshop was attended by representatives of federal, state, and tribal resource agencies, contractors, and local government staff. Due to an interest in potential waterfront cleanup, the Panel also initiated a sediment transport study by Patrick McLaren of Geo-Sea Consulting. The Environmental Protection Agency, the Port of Seattle, and Washington State Department of Natural Resources/Puget Sound Dredged Disposal Analysis assisted with the cost of the study.

Habitat Development Technical Working Group

1994 Summary

Curtis Tanner, U.S. Fish & Wildlife Service

During 1994, the Habitat Development Technical Working Group was primarily engaged in project development within the three Geographical Focus Areas (GFA) chosen for habitat development projects: the vicinity of Turning Basin No. 3, at the upper end of the Duwamish Waterway; the vicinity of Kellogg Island, in the lower portion of the estuary; and along the shoreline of Elliott Bay, in the nearshore environment of the marine system. The working group also considered the mitigation proposal developed by the Washington State Department of Transportation (DOT) for the First Avenue South project.

The Turning Basin GFA

During the early part of the year, the Panel formally notified the City of Seattle of its interest in pursuing a restoration project at the City Light North site. Because Seattle City Light was considering using the site for a combustion turbine (CT), working group members first considered restoration possibilities within the context of the possible approval and construction of a CT. Seattle City Light officials reevaluated the original CT project proposal and agreed that it would be possible to reduce the space needed by the CT on the City Light North site. City Light also indicated its willingness to reconfigure site plans to accommodate habitat enhancement projects at the site, including daylighting of Hamm Creek.

The King County Department of Development and Environmental Services was consulted regarding the permit process. Concurrently, a formal appraisal of the site, under a variety of development scenarios, was commissioned by the Panel and Seattle City Light. Robert C. Clark, Jr. served as the representative of the Panel in the appraisal process.

By mid-year, it was clear City Light officials preferred not to seek Council approval for a CT siting before 1996. A decision to proceed on CT project development is unlikely prior to 1999 unless the next resource plan confirms the need for additional generation capacity. Hence, King County Surface Water Management, City Light, and working group members continued to consider restoration possibilities both with and without development of the CT site. The working group also continued to develop and refine its comprehensive vision for the Turning Basin GFA, including City Light North and South properties, the Coastal America project, and the Kenco site.

The vicinity of Kellogg Island

Working group members continued to consider restoration options within the context of acquisition discussions with PacCar for the Seaboard Lumber site on West Marginal Way Southwest. Kevin Stoops, of the City of Seattle Department of Parks and Recreation was designated as Project Manager. The Corps of Engineers was authorized to coordinate and manage the Seaboard Site Aquatic Habitat Restoration Analysis regarding areawide and site-specific issues. Limited sediment chemistry analysis was completed from samples collected near the site to determine ambient conditions in this portion of the estuary.

The Elliott Bay GFA

Under the guidance of the technical working group, Forsyth Kineon, a NOAA intern at the Restoration Center Northwest, conducted a literature search concerning historical conditions, existing habitat conditions and needs, and location and design issues. Due to the lack of existing information regarding location and design issues, and insufficient data regarding habitat conditions and needs within the literature, the working group recommended that the Panel continue to investigate the Elliott Bay GFA, and estimated that it would be the last of the three GFAs to be addressed in terms of the implementation schedule. At the close of the year, the Panel approved the working groups recommendation that the following three areas be further considered for habitat restoration work:

- (a) Myrtle Edwards Park – about 200 yards of shoreline from due west of Lighthouse south past the existing beach and out to about the 100 foot contour;
- (b) West Seattle from Salty's north about 300 yards along and out to include Ecology's sediment contamination cluster site (EB23); and
- (c) Smith Cove Park between the dredged Pier 91 channel and Elliott Bay Marina.

Pursuant to the recommendation of the technical working group, the Panel agreed that baseline studies should be conducted with the assistance from local diving clubs. Under the direction of Angela Ferdico, the owner of a local diving shop, divers were asked to produce maps and discuss observations regarding substrate appearance, contours, and physical and biological features. Working group members also continued their consideration of artificial reefs, oyster shell enhancement, beach enhancement, and other restoration techniques potentially applicable to the Elliott Bay GFA.

First Avenue South bridge mitigation

A number of consultations between DOT, primarily represented by Tom Madden, the project manager for the first Avenue South Bridge project, and working group members occurred concerning the possibility of establishing a direct surface connection between the 509 Marsh and the Duwamish. Ken Pritchard, of Adopt-a-Beach, also met with the working group to discuss the problem of Phragmites infestation at the 509 Marsh and Kellogg Island.

Sediment Remediation Technical Working Group

1994 Summary

Pat Romberg, King County Department of Metropolitan Services

The general operating procedure for the Sediment Remediation Technical Working Group (SRTWG) is to review all reports and funding requests related to EB/DRP sediment remediation projects to provide guidance to the Panel and coordination with other projects in Elliott Bay and the Duwamish River. In 1994 the SRTWG focused primarily on the two sediment remediation projects that were already approved: the Waterfront Recontamination Study managed by Washington State Department of Ecology (Ecology) and the Duwamish/Diagonal and Norfolk Cleanup Study managed by Metro and the City of Seattle. The SRTWG also began work on goals for Source Control Activities and reviewed monitoring data for the Pier 53-55 sediment capping project.

Waterfront Recontamination Study

The Waterfront Recontamination Study is intended to determine whether potential cleanup areas along the Seattle waterfront would remain clean or be recontaminated and to provide recommendations for the design of effective remedial alternatives. As project manager for the study, Dr. Teresa Michelson of Ecology provided numerous updates to the SRTWG. The study began in 1993 and involves one year of data collection followed by data synthesis and modeling of recontamination potential. The field work was lead by Dale Norton of Ecology and involved deployment of sediment traps at 9 locations during the period from October 1993 to October 1994. Preliminary results showed an appreciable amount of sediment collected and with elevated chemical levels as measured by the Ecology Manchester Laboratory. Current meters with rotors were initially installed at 5 locations, but preliminary results showed that the currents in some places were too slow for the meters to work effectively. Electronic current meters were obtained to measure the low velocities and were moved around to provide data from 12 locations. Tide changes cause water along the waterfront to move in both directions, but a net flow direction vector was determined by summing results. Preliminary analysis indicated that there were local eddies, and it appeared the ferries may have a substantial influence on the local current conditions near the Colman ferry dock . Three sediment cores were collected and analyzed to determine chemical profiles and lead-210 age dating. An inventory was made of existing chemical sources along the central waterfront extending from King Street CSO on the south to Denny Way CSO on the north. A final report of the field results will be available in 1995.

A scope of work for modeling activities for the waterfront was approved after review and discussion. However, later in the year there was a reevaluation of the need for modeling based on results of the field data. Preliminary interpretation of data from current meters and sediment traps indicated that ferries and propwash may have a significant effect on resuspending bottom sediments and are short-lived events that do not lend themselves to a general waterfront circulation model. It was also determined that the remaining point sources were not significantly eliminating the need for discharge modeling.

An additional component of the waterfront study was a study of bottom sediment movements in Elliott Bay and the lower Duwamish River that was co-sponsored by the EB/DRP Panel, the Port of Seattle, Environmental Protection Agency, state Department of Natural Resources, Ecology, and the Army Corps of Engineers. GeoSea Consulting sampled a large grid of more than 500 stations and measured sediment particle size distribution. Preliminary results, presented in February 1994, suggested net movement of sand and fines to the south along the waterfront and up into the Duwamish River. A final report was submitted by McLaren and Ren (1994).

Sediment remediation projects at Duwamish/Diagonal and Norfolk

The Duwamish/Diagonal and Norfolk sediment remediation projects are directed by Pat Romberg of Metro as project manager, and City of Seattle work is directed by Bob Chandler. These projects are proceeding according to the procedures of the Washington State Sediment Management Standards, which require the development of a formal Cleanup Study Plan consisting of four documents that undergo public comment. A Work Plan for each site, which was developed under direction of Dean Wilson, provided pertinent site information plus an explanation of how the entire project would proceed. A preliminary schedule was included that indicated the projects should be completed in 1997. A Sampling and Analysis Plan for each site was developed by Craig Homan, who worked closely with Ecology to finalize technical issues. A Public Participation Plan for each site was developed by Jim Lindler in coordination with the EB/DRP Public Participation Committee. A Health and Safety Plan that applies to both sites was developed by Jim Faccone. Members of the SRTWG, both individually and as a group, spent considerable time reviewing, discussing, and commenting on these documents to insure they could serve as a model for other projects. Public review occurred from June 15th to July 15th with two letters submitted. Comments were addressed, and Ecology issued authorization to proceed with Phase I site assessment sampling in mid-August 1994.

The budget for Phase I sampling was reviewed and approved by the SRTWG. At Duwamish/Diagonal there were 35 surface grab stations and one core station sampled for chemistry analysis. At Norfolk, there were 18 surface grab stations and one core station sampled for chemistry analysis. Metro conducted sample collection and chemical analysis of most parameters. At both sites, one third of the surface grab stations were evaluated by three separate bioassay tests performed under contract with Beak Consultants. Quality-assured chemistry data became available at the end of 1994. Preliminary results indicated that the Norfolk site has a relatively small area of contamination clearly linked to the outfall. At the Duwamish/Diagonal site, there was a much larger area of contaminated sediment, but portions of the site did not appear to be linked to the two existing outfalls.

Project monitoring and collaboration

Monitoring data from the Pier 53-55 cap was reviewed and discussed regarding chemical recontamination apparently caused by piling removal activities at the Colman Ferry Dock (Pier 52). Pier renovation projects at both Colman Dock and the Central Waterfront Project Public Short-Stay Moorage (Piers 64-66) revealed that contaminated sediments are stirred up during piling removal activities. At the Panel's request, the SRTWG developed a list of the problem issues and proposed a workshop that would bring together project sponsors, construction contractors, and regulatory agency staff to identify environmental impacts and solutions. A piling removal workshop, cosponsored by EB/DRP, DOT, and the Port of Seattle, was held in February and was well attended. DOT agreed to coordinate further discussions under the direction of Rick Singer.

Source control activities

Metro and City of Seattle were authorized to develop a source control plan and work with the SRTWG to establish overall source control goals and objectives and possible source control activities for Panel consideration. By December 1994, a draft statement of source control goals was prepared. A list of potential source control activities was developed to include research and identification of pollutant types and sources, fieldwork and educational outreach, physical improvements to stormwater collection and conveyance systems, and stormwater sampling and pipe inspection. A specific source control program will be developed in 1995 in coordination with the SRTWG.

ELLIOTT BAY/DUWAMISH RESTORATION PROGRAM PANEL

1994 Resolutions

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Listed below are the 19 Panel resolutions of 1994. The attachments to the resolutions have not been included here for the sake of brevity. The attachments are contained in the Administrative Record of the Elliott Bay/Duwamish Restoration Program, and may be obtained from the Administrative Director upon request (see flyleaf for information).

Resolution 1994 – 1

References: Resolution 1992-20; adoption of the Pier 53-55 Sediment Capping and Enhanced Natural Recovery Area Project
Consent Decree: ¶ 26; credit for the Pier 53 sediment remediation project
Adopted: 2/3/94

The Elliott Bay/Duwamish Restoration Program Panel authorizes Metro to incur \$34,692.00 for in-kind services to prepare the second monitoring report for the Pier 53-55 Sediment Remediation Project. Monitoring activities required by permit conditions were conducted by Metro in 1993 one year after cap placement. The Sediment Remediation Technical Working Group considered a range of options for the report and recommended a report with approximately 84 pages of text and 100 pages of appendices. This authorization refers to the "medium" option in the attached budget tables. Permitting agencies and technical working group members will receive a draft report for one round of review comments before report finalization.

Resolution 1994 – 2

References: Panel Resolutions 1993-6, 13, 14, 18
Consent Decree: ¶ 9(h) and ¶ 10(b)
Adopted: 3/3/94

The Elliott Bay/Duwamish Restoration Program Panel approves the modeling work plan (on file in the Administrative Record of the EB/DRP) as the revised Scope of Work and budget for Task 3 of the Waterfront Recontamination Study. The Panel authorizes the Washington State Department of Ecology to conduct Tasks 3.3 and 3.4 of the Waterfront Recontamination Study.

Resolution 1994 – 3

References: Panel Resolution 1993-19; identification of the Seaboard site as a habitat development site, and Panel Resolution 1993-7;
1994 budget
Consent Decree: ¶ 9 (h); authority, and ¶ 13; in-kind services
Adopted: 3/3/94

- I. The Panel hereby resolves that The City of Seattle (the City) may contribute in-kind services with a total value of not more than \$70,000 towards the "Seaboard Site Aquatic Habitat Restoration Analyses" (scope of work attached). The City contribution of in-kind services shall be applied to habitat development payment obligations of the City under the Consent Decree upon receipt and approval by the Panel of a description of the in-kind services, in accordance with ¶ 13 of the Consent Decree. Of the \$70,000 to be applied, \$20,000 will be provided as project management of the analyses and other associated tasks, and \$50,000 will be applied to the U. S. Army Corps of Engineers portion of the analyses.
- II. The Panel accepts the attached scope of work as an adequate description of tasks to be conducted, and will accept services provided by the City for the undertaking of said tasks in accordance with paragraph I of this resolution. The contribution by the City will be applied to the 1994 Panel Budget, habitat development planning and design (Panel Resolution 1993-7), upon approval by the Panel of a cost accounting provided in accordance with ¶ 13 of the Consent Decree.
- III. Upon signing, a copy of this resolution shall be provided to the City's Panel representative by the Administrative Director, and shall constitute the required notice to the City of the Panel decision to authorize in-kind services. Panel oversight of the conduct of tasks undertaken at the Seaboard site will be accomplished by means of the monthly status reports of the Habitat Development Technical Working Group. The Habitat Development Technical Working Group will meet regularly with the project manager for the Seaboard project and will keep the Panel apprised of tasks completed pursuant to this resolution. Such reports are deemed by the Panel to be sufficient oversight in accordance with ¶ 13 of the Consent Decree.

Resolution 1994 – 4

Consent Decree: ¶16 (Suquamish/Muckleshoot FTE's)
Adopted: 3/3/94

The Elliott Bay/Duwamish Restoration Program Panel (Panel) hereby approves the disbursement of funds from the Registry Account in the amount of \$34,841.50 and also hereby accepts the Suquamish Tribe's "Elliott Bay FTE budget for 1994" (attached). The amount of the disbursement represents the Panel's 1/2 of the Suquamish Tribe's FTE budget for 1994.

The Panel requests that the Clerk, U. S. District Court, issue a check in the amount of \$34,841.50, payable to the Suquamish Tribe, to be mailed to the following address:

The Suquamish Tribe
P.O. Box 498
Suquamish, WA 98392
Attention: Margaret Duncan

Resolution 1994 – 5

Consent Decree: ¶16 (Suquamish/Muckleshoot FTEs)
Adopted: 3/3/94

The Elliott Bay/Duwamish Restoration Program Panel (Panel) hereby accepts the "Muckleshoot Indian Tribe Operating Budget for Period 1/01/94 – 12/31/94, Elliott Bay/Duwamish Restoration Program Technical Support" (attached), and stipulates that the budget is reasonable as proposed.

Additionally, the Panel hereby approves the disbursement of funds from the Registry Account in the amount of \$44,854.50 in accordance with the attached budget. This amount represents the Panel's 1/2 of the Muckleshoot Indian Tribe's Technical Support FTE budget for 1994. The Panel therefore requests that the Clerk, U. S. District Court, issue a check in the amount of \$44,854.50, payable to the Muckleshoot Indian Tribe, and mail it to the following address:

The Muckleshoot Indian Tribe
Attention: Eric Durban, Comptroller
39015 172 Ave. S.E.
Auburn, WA 98002

Resolution 1994 – 6

Consent Decree: ¶ 10(a)

Adopted: 3/3/94

In accordance with Consent Decree paragraph 10 (a) and Panel Resolution 1992-10, the Elliott Bay/Duwamish Restoration Program Panel hereby authorizes disbursements from the registry account to the payees specified below and as requested by the attached invoices and memoranda.

Payees	Amount of disbursement
Secretary of the Interior	\$19,477.00
Address: Fish and Wildlife Service Ecological Services 3704 Griffin Lane S.E., Suite 102 Olympia, WA 98501 – 2192 Attention: Alisa Ralph	
Suquamish Indian Tribe	\$13,999.00
Address: The Suquamish Tribe P.O. Box 498 Suquamish, WA 98392 Attention: Margaret Duncan	

Resolution Number 1994 – 7

Consent Decree: ¶ 10 and ¶ 14

Adopted: 3/3/94

The Elliott Bay / Duwamish Restoration Program Panel authorizes the disbursement of funds from the Registry Account for the reimbursement of the National Oceanic and Atmospheric Administration (NOAA) for time and expenses of personnel fulfilling Administrative Director duties in accordance with Panel Resolution 1992-1 from October 3, 1993 through January 8, 1994 in the amount of \$8,943.80.

The Clerk of the United States District Court, Western District of Washington, is hereby requested to issue a check from the Registry Account in the amount of \$8,943.80 payable to NOAA, Department of Commerce.

Mailing Address: NOAA Finance Services Division
Bills and Collection Unit, Caller Service 7025
20020 Century Boulevard
Germantown, Maryland 20874

Panel Resolution 1994 – 8

References: 1993-11 (b): Designates Metro and City as project managers
for EB/DRP sediment remediation projects
1993-20: Identifies initially selected sediment remediation sites
1993-21: Authorizes Cleanup Study Workplan development as
in-kind services not to exceed \$53, 450

Consent Decree: ¶¶ 9(h), 13, 19

Adopted: 4/7/94

The Elliott Bay / Duwamish Restoration Program (EB/DRP) Panel hereby authorizes the King County Department of Metropolitan Services (Metro) to perform sampling activities on behalf of the EB/DRP Panel at two potential cleanup sites in the Duwamish River and to perform in-kind services with a value of not more than \$35,527.20 for this purpose. The work shall consist of three different sampling activities with designated budgets as follows: (1) \$31,697.00 for collection and analyses of five storm water samples from two locations in the Diagonal Way storm drain; (2) \$3,200.00 for additional bathymetric survey data at the Diagonal / Duwamish Site; and, (3) \$630.00 for collection and analysis of sediment pore water for salinity.

Panel Resolution 1994 – 9

References: Resolution 1992-10
Consent Decree: ¶ 10(a)
Adopted: 4/7/94

The Elliott Bay/Duwamish Restoration Program Panel hereby authorizes disbursements from the registry account to the payees specified below and as requested by the attached invoices.

Payees	Amount of disbursement
Muckleshoot Indian Tribe	\$12,179.10
Address: Muckleshoot Indian Tribe 39015 172 Avenue S.E. Auburn, WA 98002 Attention: Eric Durban, Comptroller	
Department of Ecology	\$12,688.88
Address: Attention: Cashiering Section Post Office Box 5128 Lacey, Washington 98503-0210	
NOAA, Department of Commerce	\$43,450.13
Address: NOAA Finance Services Division Bills and Collection Unit, Caller Service 7025 (DARRF) 20020 Century Boulevard Germantown, Maryland 20874	

Panel Resolution 1994 – 10 1995 Budget

References: In accordance with Consent Decree Paragraph 11, the Elliott Bay / Duwamish Restoration Program Panel hereby adopts the attached 1995 Budget.

Adopted: April 7, 1994

I.	PANEL FUNCTIONS SUPPORT	
1.	Administrative Director Salary and Overhead	70k
2.	Public Participation	10k
3.	Trustee Reimbursement	130k
	Subtotal	210k
II.	PLANNING AND DESIGN	
1.	Tribal F.T.E.s	
	• Muckleshoot Tribe (1/2 x 90K)	45k
	• Suquamish Tribe (1/2 x 70k)	35k
		80k
2.	Habitat Development Planning and Design	212k
3.	Sediment Remediation Planning and Design	515k
	Subtotal	727k
III.	PROJECT IMPLEMENTATION	
1.	Habitat Restoration	875k
2.	Sediment Remediation	82k
	Subtotal	957k
IV.	1995 PROGRAM TOTAL \$1,974,000	
A.	1995 Habitat Development Budget	
1.	29.4% Administrative and Program Planning Costs (290k)	85k
2.	Habitat Development Planning and Design	212k
3.	Habitat Development Implementation	875k
		1,172k
B.	1995 Sediment Remediation Budget	
1.	70.6% Administrative and Program Planning Costs (290k)	205k
2.	Sediment Remediation Planning and Design	515k
3.	Sediment Remediation Implementation	82k
		802k

Resolution Number 1994 – 11

Consent Decree: ¶ 10 and ¶ 14

Adopted: 7/7/94

The Elliott Bay/Duwamish Restoration Program Panel authorizes the disbursement of funds from the Registry Account for the reimbursement of the National Oceanic and Atmospheric Administration (NOAA) for time and expenses of personnel fulfilling Administrative Director duties in accordance with Panel Resolution 1992-1 from January 9 through April 2, 1994 in the amount of \$15,934.67.

The Clerk of the United States District Court, Western District of Washington, is hereby requested to issue a check from the Registry Account in the amount of \$15,934.67 payable to NOAA, Department of Commerce.

Mailing Address: NOAA Finance Services Division
Bills and Collection Unit, Caller Service 7025
20020 Century Boulevard
Germantown, Maryland 20874

Resolution Number 1994 – 12

Consent Decree: ¶ 10 (c), Sediment remediation project implementation

¶ 19, Remediation of Sediments

¶ 26, Credit for Pier 53 Sediment Remediation Project

Panel Resolutions: 1992-20, credit for Pier 53 project: \$222,760.00

1993-9, additional credit for 1992 Pier 53 monitoring: \$4,065.00

1994-1, credit for 1993 Pier 53 monitoring cycle: \$34,692.00

Adopted: 8/4/94

The Elliott Bay/Duwamish Restoration Program Panel hereby authorizes The King County Department of Metropolitan Services (Metro) to provide up to \$500 in the form of in-kind services for analyses of Colman Dock sediment sample splits provided by the State of Washington Department of Transportation. The cost of the analyses will be applied to the credit granted for the Pier 53 Sediment Remediation Project. The total credit granted by the Panel against future payments by Metro and the City for this project is \$262,017.00 as of this resolution.

Resolution Number 1994 – 13

Consent Decree: ¶ 27, Habitat Development and Real Estate Acquisition
¶ 30, Metro and City real property obligations, appraisals
Panel Resolutions: 1993-7, 1994 budget
Adopted: 8/4/94

The Elliott Bay/Duwamish Restoration Program Panel (Panel) hereby requests that The City of Seattle provide an appraisal for the real estate owned by Seattle City Light to the north of the Duwamish Substation, heretofore referred to by the Panel as "City Light North." The Panel further requests that the appraisal include: (1) the value of the site as it is now, and, (2) the value of the site after construction of a proposed habitat project to include the daylighting of Hamm Creek and excavation of the river bank on the east side of the parcel.

The Panel authorizes the Administrative Director to arrange the terms of the requested appraisal with the City of Seattle, consistent with instructions provided by the Panel. The Administrative Director will draft and forward a letter to the City of Seattle requesting the appraisal on behalf of the Panel.

The Panel hereby resolves that \$5,000 or half of the costs of such an appraisal, whichever is less, is to be applied as credit against future payment by the City of Seattle for the purpose of habitat development as specified in Paragraph 27 of the Consent Decree. The amount will be allocated to the Habitat Development Planning and Design portion of the 1994 budget.

Resolution Number 1994 – 14

Consent Decree: ¶ 13, in-kind services provided by Metro and the City
Adopted: 8/4/94

The Elliott Bay Duwamish Restoration Program hereby authorizes Metro to provide in-kind services with a value not to exceed \$190,000 in accordance with the attached "Diagonal/Duwamish/Norfolk Sediment Remediation Project Budget." Metro will provide an accounting of in-kind services supplied under this authorization in accordance with paragraph 13 of the Consent Decree.

The attached budget is acceptable to the Panel as an in-kind services proposal as specified by paragraph 13, with the understanding that future costs, indicated by a "?" on the attached budget, will require additional Panel authorization. The Panel may amend this Resolution or its Attachments. If any of the Attachments to this Resolution are amended by the Panel, the amended Attachments will become part of this Resolution by reference.

The Cleanup Study Workplans developed by Metro for the two projects, and on file in the Administrative Record of the Elliott Bay/Duwamish Restoration Program, are accepted by the Panel as scopes of work for Task I, Task II (Phase I), and project management of these tasks. A scope of work or proposal for in-kind services will be provided prior to Panel approval of costs for additional tasks.

Panel oversight of the project will be accomplished by project manager's reports to the Sediment Remediation Technical Working Group, and project updates will be included in monthly reports of the working group to the Panel.

**DIAGONAL/DUWAMISH/NORFOLK
SEDIMENT REMEDIATION PROJECT
BUDGET**

<u>TASK</u>	<u>DUWAMISH</u>	<u>NORFOLK</u>
I. SCREENING SAMPLES		
Wastewater Sampling		
Sample collection	12,265.00	
Chemical analysis	8,872.00	
Sampling contingency	<u>10,560.00</u>	
Sub Total	31,697.00	
Salinity Sampling		
Sample collection	250.00	250.00
Salinity analysis	<u>65.00</u>	<u>65.00</u>
Sub Total	315.00	315.00
Bathymetry Survey		
Survey contract	<u>3,200.00</u>	
Sub Total	<u>3,200.00</u>	
TOTAL APPROVED	35,212.00	315.00
II. SITE ASSESSMENT (Phase 1)		
* <u>Phase 1 Planning</u>		
Field and Lab Services		
Grab sample collection	16,144.00	8,341.00
Core sample collection	2,787.00	1,397.00
Chemical analysis	50,731.00	21,935.00
Bioassay testing	21,700.00	15,500.00
Contract procurement	1,394.00	718.00
Task preparation & mgmt.	3,274.00	1,686.00
Sub Total	96,030.00	49,577.00
* Sedimentation Rate Cores for Model	<u>16,608.00</u>	
TOTAL REQUESTED	<u>112,638.00</u>	<u>49,577.00</u>
<u>Phase 2 Planning</u>		
Data interpretation	?	
Prepare new SAP addendum	?	
Prepare phase 2 budget	?	
Proceed with phase 2 sampling	?	
Sub Total	?	
* TOTAL	1995	
III. Diagonal Pipe Cleaning		
Prepare Sampling and Analysis Plan	?	
Prepare Sampling Plan for Ecology Appv'l	?	?
Sub Total	?	

Collect Samples	?
Chemistry Analysis	?
Interpretation and Decision	?
Task Scheduling	?
Sub Total	?
Pipe Cleaning Contract	?
Contract Procurement	?
Contract Management	?
Sub Total	?
TOTAL	Sep'94
IV. Modelling Sources Control Needs	
Run SWM Model	?
Develop Sediment Dispersion Model	?
Run Sediment Model	?
Task Scheduling	?
Sub Total	?
Interpretation and Report	?
Decision on Source Control Needs	?
Sub Total	?
Source Control Activities	
Prepare source control plan	?
Prepare source control budget	?
Implement source control	?
Task scheduling	?
Sub Total	?
TOTAL	Sep'94
V. Risk Assessment	
Preliminary Assessment	?
Report Preparation	?
Task Scheduling	?
TOTAL	Sep'94
VI. Alternatives Analysis Contract	
Contract Procurement	
* Develop Scope of Work	\$10,560.00 (Aug/Sep'94)
Consultant selection process	?
TOTAL	Sep'94
Contract Management	
Engineering Services support	?
Other contract support services	?
Consultant Contract Tasks	
Phase 1 & 2 site data analysis	?
Establish cleanup technologies	?

Develop alternatives for cleanup	?		
Evaluate alters. select preferred	?		
Prepare monitoring plan	?		
Prepare alternatives report	?		
Project management (consultant)	?		
TOTAL	Sep'94		
VII. Environmental Process			
Prepare Environmental Assessment	?		
Public Meeting	?		
Coordinate with Ecology	?		
Public Comments and Revisions	?		
Task Scheduling	?		
TOTAL	Sep'94		
VIII. Permitting Activities For Project			
Prepare Preliminary Design	?		
Prepare Permit Documents	?		
Review/Comment Preparation	?		
TOTAL	1995		
IX. Construction at Cleanup Site			
Prepare Final Project Design	?		
Prepare Bid Documents	?		
Contractor Selection	?		
Contract Approval	?		
Construction Contract Cost	?		
Contract Management	?		
Task Scheduling	?		
TOTAL	1996		
X. Monitoring Activities			
Prepare Sampling and Analysis Plan	?		
Prepare Sampling Budget	?		
Construction Monitoring Costs	?		
Post-Construction Monitoring Costs	?		
TOTAL	1996/97		
XI. Overall Project Management			
Aug/Sep'94	10,054.00	5,027.00	
* TOTAL REQUESTED	10,054.00	5,027.00	
Oct/Dec'94-1995	?	?	
Total	Sep'94	Sep'94	
* PROJECT TOTALS	133,252.00	54,604.00	
* GRAND TOTAL REQUESTED	187,856.00		
* Budget Items Requested for SRTWG/Panel Approval.			
28 July 1994			

Duwamish/Diagonal and Norfolk Phase I Sampling Costs

Common and Preparation Costs

Contract Procurement	\$2,112
Laboratory Preparation	\$440
Construct core-splitting table	\$1,320
Sampling materials	\$888
Health and Safety Briefing	\$484
Project Management	\$880
Moorage	\$420
Site Survey	\$528
Common and Preparation Total	\$7,072

Duwamish/Diagonal

Field Mobilization of boat, equipment	\$704
Sediment grab sampling	\$14,240
Sediment bioassay reference sample: Metro	\$1,200
Sediment bioassay reference sample: Consultant	\$1,960
Sediment core sampling	\$2,787
Field subtotal (Metro collects)	\$18,931
Field subtotal (Consultant collects)	\$19,691
Analytical Chemistry	\$50,731
Bioassays, estimated	\$21,700
Analytical subtotal	\$72,431
Field + Analytical (Metro collects reference)	\$91,362
Field + Analytical (Consultant collects reference)	\$92,122
Add 2/3 Common and Preparation Costs	\$4,668
Duwamish/Diagonal Total (Metro collects reference)	\$96,030
Duwamish/Diagonal Total (Consultant collects reference)	\$96,790

Norfolk

Field Mobilization of boat, equipment	\$176
Sediment grab sampling	\$8,165
Sediment core sampling	\$1,397
Field subtotal	\$9,738
Analytical Chemistry	\$21,935
Bioassays, estimated	\$15,500
Analytical subtotal	\$37,435
Field + Analytical	\$47,173
Add 1/3 Common and Preparation Costs	\$2,404
Norfolk Total	\$49,577

Common and preparation costs						
		Cost	People	Hours	Rate	Total
Contract Procurement						
(Prepare bid specs, evaluate bids and contractors, award contract)						
	Charter sampling vessel			4	44	176
	Bioassays			40	44	1760
	Divers			4	44	176
Laboratory Preparation						
(Create LWOs, field sheets, labels, bottle and equipment prep)						
				10	44	440
Construct core-splitting and work tables on deck						
(Design, purchase materials, construct)						
			3	10	44	1320
Sampling materials (one-use only)						
	Nitrile gloves (100pr.)	180				180
	Core tubes (42 ft @ \$10/ft)	420				420
	Core plugs (12 @ \$24/ea)	288				288
Health and Safety Briefing						
			11	1	44	484
Project Management						
				20	44	880
Moorage at Harbor Island Marina						
		420				420
Site survey						
(Locate positioning reference sites and secondaries)						
			2	6	44	528
Common/Preparation Total						7072

Duwamish/Diagonal Site					
		Cost	People	Hours	Rate Total
Field work					
Mobilization of boat, equipment			2	8	44 704
Sediment grab sampling	(34 stations, 2-3 grab composites, + QA reps)				
Regular (5 days)	1 skipper, 2 crew		3	60	44 7920
	1 project manager		1	40	44 1760
	1 scientist		1	60	32 1920
	2 shore station crew		2	30	44 2640
Sediment Bioassay Reference Sample Collection	(Metro or Consultant, tbd)				
Metro	1 skipper, 1 crew		2	10	44 880
	1 scientist		1	10	32 320
Consultant	1 consultants estimate				1960
Sediment cores	(2 cores at 2 stations, samples split on-board)				
(2/3 of one day of diver, boat and equipment and crew time)					
	1 skipper, 2 crew		3	7	44 924
	1 project manager		1	7	44 308
	1 scientist		1	7	32 224
	2 shore station crew		2	3	44 264
Estimate, contractor	Dive boat rental		1	5	55 275
	Mobilization/demob.		2	1	36 72
	Dive time		1	4	180 720
Field Subtotal (Metro collect reference)					18931
Field Subtotal (Consultant collect reference)					19691
Analytical					
Chemistry	(All prices include QA 1 data package cost)			# sampls	\$/test Total
(34 grab samples, 3 field reps, 4 variability reps, 15 core section samples, 2 reference samples)					
Acid Volatile Sulfides	Amtest			58	70 4060
Particle Size Distribution	Amtest			58	75 4350
Percent solids	Metro ELD			58	10 580
Total Organic Carbon	Metro ELD			58	32 1856
Metals by ICP	Metro ELD			58	29 1682
Mercury	Metro ELD			58	23 1334
Methyl Mercury	Frontier Geosciences			14	192.5 2695
BNA's	Metro ELD			58	241 13978
PCB's/Pesticides	Metro ELD			58	187 10846
Tributyltin	Laucks			34	275 9350
Chemistry Subtotal					50731
Bioassay tests, Estimated					
(12 samples + 2 reference)					
Amphipod (Rhepoxynius)	To be determined			14	450 6300
Echinoderm (Dendraster)	To be determined			14	500 7000
Polychaete (Neanthes)	To be determined			14	600 8400
Bioassay Subtotal					21700
Duw/Diag Total (Field, Chemistry, Bioassay)					91362
(Metro collect reference)					
Duw/Diag Total (Field, Chemistry, Bioassay)					92122
(Consultant collect reference)					

Norfolk Site					
		Cost	People	Hours	Rate Total
Field work					
Mobilization of boat, equipment			2	2	44 176
Sediment grab sampling	(18 stations, 2-3 grab composites, + QA reps. + Duwam. Reference)				
Regular (2 days)	Boat rental w/ operator		1	3.5	550 1925
	2 crew		2	30	44 2640
	1 project manager		1	30	44 1320
	1 scientist		1	30	32 960
	2 shore station crew		2	15	44 1320
Sediment cores	(2 cores at 1 station, samples split on-board Liberty)				
	(1/3 of one day of diver, boat and equipment and crew time)				
	1 skipper, 2 crew		3	3	44 396
	1 project manager		1	3	44 132
	1 scientist		1	3	32 96
	2 shore station crew		2	2	44 176
Estimate, contractor	Dive boat rental		1	3	55 165
	Mobilization/demob.		2	1	36 72
	Dive time		1	2	180 360
	Field Subtotal				9738
Analytical					
Chemistry	(All prices include QA1 data package cost)		# samps	\$/test	Total
	(18 grab samples, 2 field reps, 6 core section samples, 4 reference samples)				
Acid Volatile Sulfides	Amtest		30	70	2100
Particle Size Distribution	Amtest		30	75	2250
Percent solids	Metro ELD		30	10	300
Total Organic Carbon	Metro ELD		30	32	960
Metals by ICP	Metro ELD		30	29	870
Mercury	Metro ELD		30	23	690
Methyl Mercury	Frontier Geosciences		10	192.5	1925
BNA's	Metro ELD		30	241	7230
PCB's/Pesticides	Metro ELD		30	187	5610
	Chemistry Subtotal				21935
Bioassay tests, Estimated					
	(6 samples + 4 reference)				
Amphipod (Eohaustorius)	To be determined		10	450	4500
Echinoderm (Dendraster)	To be determined		10	500	5000
Polychaete (Neanthes)	To be determined		10	600	6000
	Bioassay Subtotal				15500
Norfolk Total (Field, Chemistry, Bioassay)					47173

Draft Budget**Sedimentation Rate Core
Sampling and Analysis Costs**

		Units	Rate	Total \$
Preparation of Sampling and Analysis Plan		40	\$40.00	\$1,600
Mobilization of Sampling Equipment		8	\$46.00	\$368
Vessel Crew	3 persons/10 hrs	30	\$46.00	\$1,380
Scientific Crew	2 persons/10 hours	20	\$40.00	\$800
Shoreside Survey Crew	2 persons/5 hours	10	\$46.00	\$460
Coring Equipment Cost				\$0
Impact Core		1	\$35.00	\$35
Diver Core*	1 diver day	1	\$2,000.00	\$2,000
Laboratory Analysis-Pb	10 sect/core, 4 cores	40	\$150.00	\$6,000
Laboratory Analysis-Cs	10 sect/core, 4 cores	40	\$100.00	\$4,000
Total				\$16,608

* Diver operated corer necessary if Impact core provides insufficient sediment penetration, diver core \$ only used in budget totals

Shuman, 7/27/94

Resolution Number 1994 – 15

Consent Decree: ¶ 10 and ¶ 14

Adopted: 8/4/94

The Elliott Bay/Duwamish Restoration Program Panel authorizes the disbursement of funds from the Registry Account for the reimbursement of the National Oceanic and Atmospheric Administration (NOAA) for time and expenses of personnel fulfilling Administrative Director duties in accordance with Panel Resolution 1992-1 from April 3 through June 25, 1994 in the amount of \$12,022.59.

The Clerk of the United States District Court, Western District of Washington, is hereby requested to issue a check from the Registry Account in the amount of \$12,022.59 payable to NOAA, Department of Commerce.

Mailing Address: NOAA Finance Services Division
Bills and Collection Unit, Caller Service 7025
20020 Century Boulevard
Germantown, Maryland 20874

Resolution 1994 – 16

Consent Decree: ¶ 13, in-kind services; and ¶ 10, sediment remediation

Adopted: 10/06/94

The Panel hereby approves of City and Metro 1994 expenditures of \$96,500 on the Diagonal/Duwamish/Norfolk projects as outlined in the attached budget. Credit is granted by the Panel for \$96,500 as in-kind services to be applied against the Sediment Remediation obligations of the Consent Decree.

Resolution 1994 – 17

Consent Decree: ¶ 9 (d), authority; and ¶ 33, source control

Adopted: 10/06/94

The City and Metro are authorized to expend up to \$13,500 for the following two source control activities:

- I. To assist the Panel to develop goals for the source control program, and;
- II. To develop a source control plan and a source control budget to be presented at the first meeting of the Panel in 1995.

Resolution Number 1994 – 18

Consent Decree: ¶ 10 and ¶ 14
Adopted: 11/3/94

The Elliott Bay/Duwamish Restoration Program Panel authorizes the disbursement of funds from the Registry Account for the reimbursement of the National Oceanic and Atmospheric Administration (NOAA) for time and expenses of personnel fulfilling Administrative Director duties in accordance with Panel Resolution 1992-1 from June 26 through September 30, 1994 in the amount of \$6,179.13.

The Clerk of the United States District Court, Western District of Washington, is hereby requested to issue a check from the Registry Account in the amount of \$6,179.13 payable to NOAA, Department of Commerce.

Mailing Address: NOAA Finance Services Division
Bills and Collection Unit, Caller Service 7025
20020 Century Boulevard
Germantown, Maryland 20874

Resolution Number 1994 – 19

Consent Decree: ¶ 10 b
Adopted: 12/1/94

The Elliott Bay/Duwamish Restoration Program Panel authorizes the attached Scope of Work up to \$1,000.00 to produce underwater maps of potential habitat development sites. These maps will be used to further refine project site areas and to develop conceptual project designs. The Administrative Director is authorized to reimburse for the cost of the maps and related products.

SCOPE OF WORK

UNDERWATER MAPPING IN ELLIOTT BAY AND WEST SEATTLE

Contact Angela Ferdico, 937-2550

Objective

Produce maps of the following locations:

- 1) Myrtle Edward's Park – approximately 200 yards of shoreline from due west of Lighthouse south past the existing beach and outward to the approximate 100-foot contour.
- 2) West Seattle from Salty's Restaurant north for a distance of approximately 300 yards along the shore and inclusive of the Ecology contamination cluster site (EB-23).
- 3) Smith Cove Park between the dredged Pier 91 channel and the Elliott Bay Marina.

Mapping Elements

The maps would be hand drawn field sketches prepared by divers. Maps could depict locations of :

- Substrate types
- Approximate bottom contours
- Physical features
- Biological features
- Other observations

Additional possible products

- Sediment samples as requested
- Video transects
- Still photographs

Cost

The Elliott Bay/Duwamish Restoration Program will furnish directly or reimburse the cost of the materials expended while preparing the maps up to \$1,000.00 including:

- Compressed air
- Film, video tape, and processing
- fuel

ELLIOTT BAY/DUWAMISH RESTORATION PROGRAM PANEL

1994 Registry Account Summary

Cash Disbursements from the Registry Account

Settlement Summary:			Consent Decree	Spending Limits	Bylaw Spending limits	
Task	Amount		Category	Limit	Category	Annual Limit
Sediment Remediation	\$12,000,000					
Real Property	\$5,000,000				Trustee Reimbursement	≤ \$150,000
Habitat Restoration	≤ \$5,000,000		Panel Support	\$2,000,000	Administrative Director	≤ \$70,000
Source Control	≤ \$2,000,000		Planning/Design	\$3,000,000	Tribal FTE-Panel Hall	\$80,000
Elliott Bay/Duwamish Restoration Program Disbursements for Panel Support - Budget Cap of \$2,000,000 for life of settlement.						
Date Filed	Paid To	Resolution	Purpose	Amount	Running Total	% Expended
8/6/92	NOAA	92-10	AR:7/2/91-9/30/92	\$12,530.87	\$12,530.87	
9/24/92	NOAA	92-13	AR: 3/1/92-6/30/92	\$13,085.45	\$25,616.32	1.28
3/25/93	WDNR	92-26	Elliott Bay Coop	\$2,647.65	\$28,263.97	1.41
3/25/93	USFWS	93-05	TE CY 1992	\$16,352.30	\$44,616.27	2.23
3/25/93	Muckleshoot	93-05	TE CY 1992	\$29,930.00	\$74,546.27	3.73
3/25/93	Suquamish	93-05	TE CY 1992	\$7,163.92	\$81,710.19	4.09
6/17/93	Ecology	93-10	TE CY 1992	\$7,197.87	\$76,377.19	3.82
6/17/93	NOAA	93-10	TE CY 1992	\$38,604.46	\$127,512.52	6.38
6/17/93	NOAA	93-11	AR:10/1/92-3/31/93	\$19,224.78	\$146,737.30	7.34
9/9/93	NOAA	93-15	AR: 4/1/93-6/30/93	\$10,762.55	\$157,499.85	7.87
3/3/94	WDNR	93-17	Elliott Bay Coop	\$7,352.35	\$164,852.20	8.24
3/3/94	NOAA	93-22	AR: 7/1/93-9/30/93	\$29,114.52	\$193,966.72	9.70
4/1/94	USFWS	94-06	TE CY 1993	\$19,477.00	\$213,443.72	10.67
4/1/94	Suquamish	94-06	TE CY 1993	\$13,999.00	\$227,442.72	11.37
4/1/94	NOAA	94-07	AR: 10/3/93-1/8/94	\$8,943.80	\$236,386.52	11.82
6/21/94	Muckleshoot	94-09	TE CY 1993	\$12,179.10	\$248,565.62	12.43
6/21/94	Ecology	94-09	TE CY 1993	\$12,688.88	\$261,254.50	13.06
6/21/94	NOAA	94-09	TE CY 1993	\$43,450.13	\$304,704.63	15.24
Cumulative Total:					\$304,704.63	15.24
Elliott Bay/Duwamish Restoration Program Disbursements for Planning and Design - Budget Cap of \$3,000,000						
Date Filed	Paid To	Resolution	Purpose	Amount	Running Total	% Expended
3/25/93	Cornu	92-25	Habitat Drawings	\$4,496.58	\$4,496.58	0.15
4/1/94	Ecology	93-13	WF:5/1/93-9/30/93	\$31,726.43	\$36,223.01	1.21
6/21/94	Ecology	93-18	WF: 10/1/93-12/31/94	\$53,364.03	\$89,587.04	2.99
8/5/94	Ecology	93-18	WF: 1/1/94-3/31/94	\$33,505.00	\$123,092.04	4.10
10/4/94	Ecology	94-02	WF: 7/1/94-9/30/94	\$72,030.33	\$195,122.37	6.50
12/3/92	Muckleshoot	92-19	FTE for CY 1992	\$44,255.00	\$239,377.37	7.98
9/9/93	Muckleshoot	93-16	FTE for CY 1993	\$44,941.50	\$284,318.87	9.48
4/1/94	Muckleshoot	94-05	FTE for CY 1994	\$44,854.50	\$329,173.37	10.97
9/24/92	Suquamish	92-14	FTE for CY 1992	\$36,000.00	\$365,173.37	12.17
9/9/93	Suquamish	93-16	FTE for CY 1993	\$34,563.06	\$399,736.43	13.32
4/1/94	Suquamish	94-04	FTE for CY 1994	\$34,841.50	\$434,577.93	14.49
Cumulative Total:					\$434,577.93	14.49
Abbreviations						
FTE	Full-Time Equivalent Position Funding (Muckleshoot and Suquamish Tribes)					
CY	Calendar Year					
AR	Administrative Reimbursement - Payment to NOAA (Administrative Director)					
TE	Trustee Expenses					
WF	Waterfront Recontamination Study - Payment to Washington State Department of Ecology					
Cornu	Contractor for conceptual habitat development drawing					

Elliott Bay/Duwamish Restoration Program Inkind Credits										
Date Filed	Paid To	Resolution	Purpose	Budget Category	Sub Category	Authorized Amount	METRO Request- 12/94			
3/19/92	Metro	92-3	Public Participation Plan	Panel Support	Public Participation	\$3,500				
5/7/92	Metro	92-8	Stakeholder Interviews	Panel Support	Public Participation	\$2,000				
9/3/92	Metro	92-17	Stakeholder Interviews	Panel Support	Public Participation	\$4,000	\$9,200			
6/4/92	City of Seattle	92-12	T-105 Habitat Restoration Proposal	Planning / Design	Habitat Restoration	\$12,000				
9/3/92	City of Seattle	92-15	Unsequester previous funds	Planning / Design	Habitat Restoration	(\$12,000)				
9/3/92	Metro/City	92-16	Sediment Data Acquisition	Planning / Design	Sediments	\$50,000	\$43,762			
12/3/92	Metro	92-23	Prepare Concept Document	Planning / Design	NEPA/SEPA	\$34,000	\$34,000			
11/4/93	Metro/City	93-21	Cleanup Study Workplans	Planning / Design	Sediments	\$53,450	\$46,599			
3/3/94	City of Seattle	94-3	Seaboard Habitat Analysis/Proj. Mgt.	Planning / Design	Habitat Restoration	\$70,000				
8/4/94	City of Seattle	94-13	City Light North Appraisal (%50)	Planning / Design	Habitat Restoration	\$5,000				
4/7/94	Metro	94-8	Sediment Sampling/Bathy/DDN	Planning / Design	Sediments	\$35,527	\$4,994			
8/4/94	Metro	94-12	Colman Dock Sample Analysis	Planning / Design	Sediments	\$500	\$500			
8/4/94	Metro/City	94-14	Diag./Duwamsh/Nrflk Remed.	Planning / Design	Sediments	\$190,000	\$190,000			
10/6/94	Metro/City	94-16	Diag./Duwamsh/Nrflk Remed.	Planning / Design	Sediments	\$96,500	\$7,820			
10/6/94	Metro/City	94-17	Develop Source Control Goals	Planning / Design	Source Control	\$13,000	\$0			
10/1/92	Metro/City	92-20	Credit for Pier 53 Remediation	Sediment Remediation	Sediments	\$222,760	\$222,485			
4/1/93	Metro/City	92-20	Credit for Pier 53 Remediation	Sediment Remediation	Sediments	\$4,055				
2/3/94	Metro	94-1	Pier 53 Monitoring Report	Sediment Remediation	Sediments	\$34,692				
Cumulative Total:										
From Start to end of Calendar Year 1994						\$618,994.20	\$425,799.00			

Panel Organization Plan

Contents

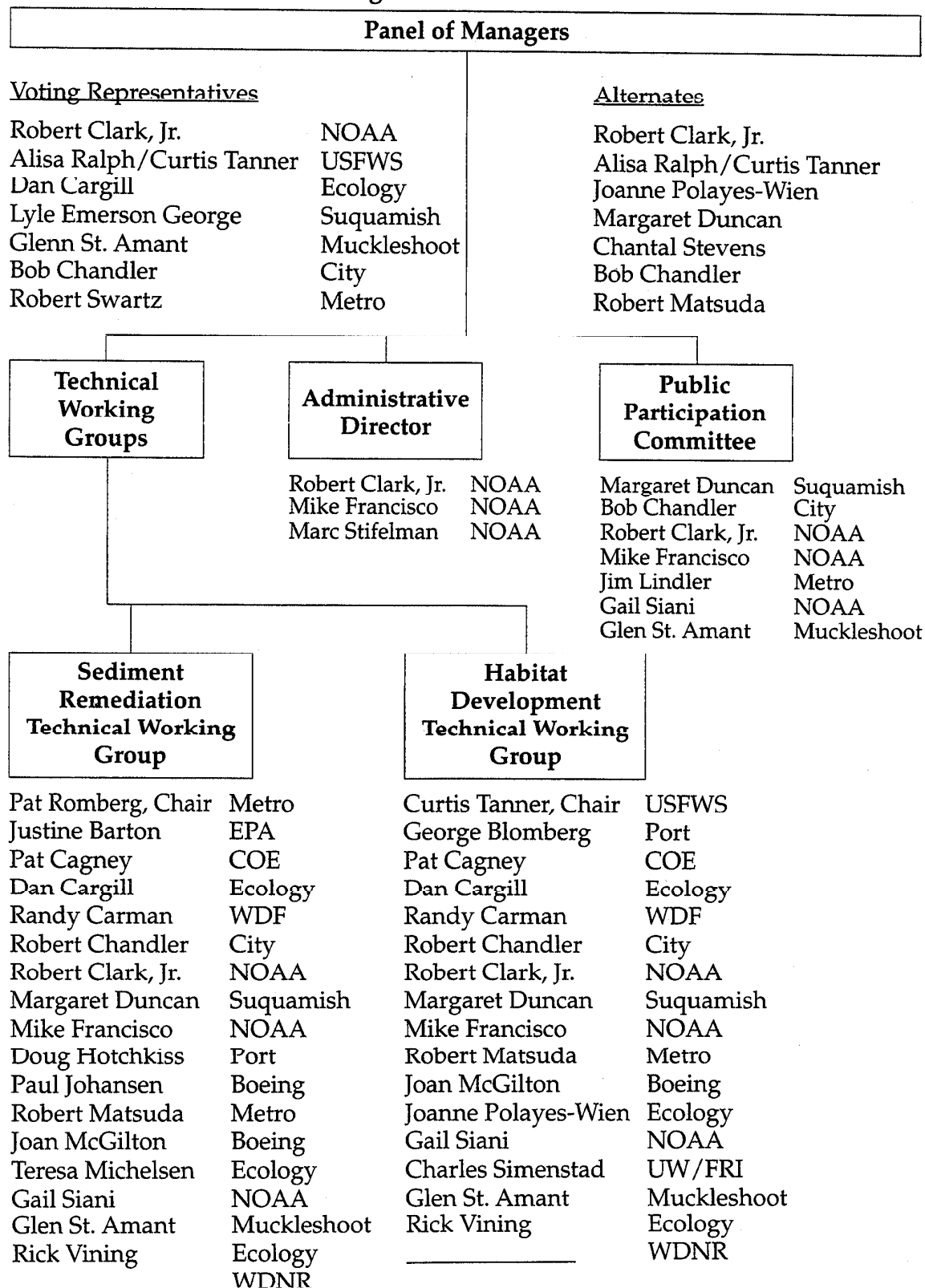
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A. Acronyms and abbreviations

Boeing	The Boeing Company
City	The City of Seattle
COE	U.S. Army Corps of Engineers
DOI	U.S. Department of the Interior
Ecology	Washington State Department of Ecology
EPA	U.S. Environmental Protection Agency
Metro	King County Department of Metropolitan Services (formerly the Municipality of Metropolitan Seattle)
Muckleshoot	Muckleshoot Indian Tribe
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
NOS	National Ocean Service
Port	Port of Seattle
Suquamish	Suquamish Tribe
USFWS/FWS	U.S. Fish and Wildlife Service
UW/FRI	University of Washington/Fisheries Research Institute
WDF	Washington Department of Fisheries
WDNR	Washington Department of Natural Resources
WDW	Washington Department of Wildlife

B. Organization Chart

Organization Structure



C. Panel participants

P = Panel of Managers Representative

S = Sediment Remediation Technical Working Group

H = Habitat Development Technical Working Group

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